

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2010-053878

04/29/2013

HONORABLE GERALD PORTER

CLERK OF THE COURT

L. Slaughter

Deputy

IN RE THE MATTER OF  
KRISTINE BOTT

KATHI J FELTON

AND

RONALD D SCHIRM

STUART J GERRICH

CORY SHAW  
8350 E RAINTREE DR  
SUITE 120  
SCOTTSDALE AZ 85260  
FAMILY DRUG COURT  
COORDINATOR  
SAGE COUNSELING INC  
TASC - PHOENIX

MINUTE ENTRY

Courtroom 110-NE

9:02 a.m. This is the time set for Review Hearing. Petitioner/Mother is present with above-named counsel, Kahti Felton. Respondent/Father is present with above-named counsel, Stuart Gerrich. Court Appointed Advisor, Cory Shaw, appears telephonically.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

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The Court notes that the Petition for Modification for Legal Decision Making, Parenting Time and Child Support and Expedited Motion for Evidentiary Hearing and for Post Decree Temporary Orders filed Petitioner on January 4, 2013 are pending.

Discussion is held.

Court Appointed Advisor is sworn and makes oral statements and recommendations to the Court.

**IT IS ORDERED** that Father shall submit to a forensically informed mental health evaluation within 90 days.

**IT IS FURTHER ORDERED** that Father shall appear in person for FAMILY DRUG COURT ORIENTATION on May 23, 2013. **SEE LATER.**

**IT IS FURTHER ORDERED** setting hearing on May 29, 2013, at 11:00 a.m. (time allotted: 1 hour) in this Division.

**IT IS FURTHER ORDERED** vacating the hearing set on May 29, 2013, and resetting same to July 22, 2013, at 9:00 a.m. (time allotted: 15 minutes) in this Division.

**IT IS FURTHER ORDERED** that the parties shall continue with joint legal decision making authority of their minor children, Mason Schirm (DOB: 12/10/1997), Evan Schirm (DOB: 09/05/1999), Brandt Schirm (DOB: 01/26/2007) and Cole Schirm (DOB: 04/29/2009).

**IT IS FURTHER ORDERED** that Father's supervised parenting time schedule remains as is.

**IT IS FURTHER ORDERED** that until Father is accepted in the Family Drug Court program, Father shall continue to drug test as previously ordered, except that should Father be required to travel for his job, he shall provide written notice to this Court and to Mother. In addition, Father shall submit to drug testing the day before leaving and the day following his return.

**IT IS FURTHER ORDERED** that as Father is traveling this week for work, he shall drug test Tuesday and the day after he returns.

**IT IS FURTHER ORDERED** that Father is advised that his path to normal parenting time is successful completion of Family Drug Court and an appropriately forensically informed medical evaluation.

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9:31 a.m. Hearing concludes.

LATER:

The Court finds that Father has a substance abuse problem with alcohol based on the following:

Father has tested positive, failed to test or tested diluted within the past six (6) months.

Additionally, the Court finds that the following applies in this case:

- 1) Father has **NOT** been convicted of a drug offense involving sales, trafficking, or distribution of any illegal substance.
- 2) The testing party resides within Maricopa County.
- 3) Neither parent has an active case with Child Protective Services (i.e. Family Preservation, assigned CPS Case Manager, Team Decision Making, Parent Aide, etc.).

On the Court's own motion,

**IT IS ORDERED** directing Father to immediately contact Sage Counseling Inc. at 1830 S. Alma School Road, Suite 101, Mesa Arizona 85201 (480) 649-3352 May 10, 2013 to set up an appointment for a substance abuse assessment as a testing participant in the Family Drug Court.

**IT IS FURTHER ORDERED** that Father shall appear in person for **FAMILY DRUG COURT ORIENTATION** on **June 6, 2013 at 10:00** a.m. through 5:00 p.m. as a testing participant[s] at the following location:

**Maricopa County Superior Court  
Old Courthouse Building  
125 West Washington, Courtroom 002**

**IT IS FURTHER ORDERED** that Mother shall appear in person for **FAMILY DRUG COURT ORIENTATION** on **June 6, 2013 at 12:45 p.m.** through 5:00 p.m. as a non-testing participant at the following location:

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**Maricopa County Superior Court  
Old Courthouse Building  
125 West Washington, Courtroom 002**

**FAILURE TO APPEAR AT THE ABOVE DATE AND TIME MAY RESULT IN AN ORDER TO SHOW CAUSE RE: CONTEMPT AND/OR ISSUANCE OF A CIVIL ARREST WARRANT.**

**IT IS FURTHER ORDERED** that both parties shall comply with all directives that may be issued by the Family Drug Court staff.

**IT IS FURTHER ORDERED** that once the parties begin participation in the Family Drug Court, they shall cooperate and complete the program as directed by the Family Drug Court judge and the Family Drug Court staff.

The Family Drug Court Judge may adjust this Court's Parenting Time Order based upon the parties' success and participation in the program OR lack of success and lack of participation in the program, with input from both parties.

During and after completion of the program, the Family Drug Court Judge may request that the assigned Judge schedule a review hearing regarding modification of custody, parenting time and/or child support based upon success or lack of success in the program.

**Failure to obey this order in all respects may subject the offending party and/or counsel to all sanctions provided and allowed by court rule, statute or other law.**

**IT IS FURTHER ORDERED** signing this minute entry as a formal Order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

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JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.